

63-9H-4. Regulation by commission.

A. Except as otherwise provided in the Rural Telecommunications Act of New Mexico [63-9H-1 NMSA 1978] or the federal act, each public telecommunications service is declared to be affected with the public interest and, as such, subject to the provisions of those acts, including the regulation thereof as provided in those acts.

B. The commission has exclusive jurisdiction to regulate **incumbent** rural telecommunications carriers only in the manner and to the extent authorized by the Rural Telecommunications Act of New Mexico, and Section 63-7-1.1 NMSA 1978 does not apply; provided, however, the commission's jurisdiction includes the regulation of wholesale rates, including access charges and interconnection agreements consistent with federal law and its enforcement and a determination of participation in low-income telephone service assistance programs pursuant to the Low Income Telephone Service Assistance Act [63-9C-1 NMSA 1978].

C. The commission shall adopt rules, consistent with the requirement for relaxed regulation for incumbent rural telecommunications carriers set forth in the Rural Telecommunications Act [63-9H-2, NMSA 1978], which provide for (i) reduced filing requirements for applicants in rate increase proceedings under the Rural Telecommunications Act and proceedings under the Rural Telecommunications Act seeking payments from the state rural universal service fund, and (ii) expedited consideration in all proceedings initiated pursuant to the Rural Telecommunications Act in order to reduce the cost and burden for incumbent rural telecommunications carriers.

History: Laws 1999, ch. 295, § 4.
